

HOUSE BILL 3420
By Brooks (Knox)

AN ACT to amend Tennessee Code Annotated, Title 56; Title 63 and Title 68, relative to direct billing of anatomic pathology services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, is amended by adding the following as a new section:

Section 63-1-145.

(a) Except as set forth in subsection (b), no person licensed in the state to practice medicine, dentistry, optometry, podiatry, or chiropractic shall charge, bill, or otherwise solicit payment for outpatient anatomic pathology services unless the services were rendered personally by the licensed practitioner or under the licensed practitioner's direct supervision.

(b) A person who is licensed in the state to practice medicine and who is qualified as a specialist in pathology, or a professional legal entity of which such person is a shareholder, partner, or owner, may submit a bill for outpatient anatomic pathology services only to:

- (1) The patient directly;
- (2) The responsible insurer or other third-party payor;
- (3) The hospital, public health clinic, or nonprofit health clinic;
- (4) The referral laboratory or the primary laboratory.

(c) The respective state licensing boards having jurisdiction over the practitioners enumerated above, in addition to all other authority granted by this title, may revoke, suspend, or deny renewal of the license of any practitioner who violates the provisions of this section. In addition, no patient, insurer, third-party payor, hospital, public health clinic, or nonprofit health clinic shall be required to

reimburse the practitioners enumerated above for charges or claims submitted in violation of this section.

(d) The provisions of this section shall not prohibit billing between laboratories for anatomic pathology services in instances where a sample or samples must be sent to another specialist.

SECTION 2. This act shall take effect July 1, 2004, the public welfare requiring it.